

ORDER RECEIVED FOR FILING  
Date 10/18/89  
By J. Robert Haines

IN RE: PETITION FOR ZONING VARIANCE  
SEA Woodfork Road, 116' E  
of Pine Valley Drive  
2103 Woodfork Road  
8th Election District  
3rd Councilmanic District  
Otto-Georg Richter, et ux  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-56-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.A.1. to permit a side yard setback of 5-1/2 feet and a side yard setback sum of 20-1/2 feet in lieu of the minimum 10 and 25 feet, respectively, in accordance with Petitioners' Exhibit 1.

The Petitioner, Otto-Georg Richter, appeared and testified. There were no Protestants.

Testimony and evidence indicated that the subject property known as 2103 Woodfork Road, consists of .341 acres zoned D.R. 3.5 and is improved with a two story single family dwelling. The Petitioner is desirous of constructing an attached garage on the northwest side of their home. The Petitioner testified that his adjoining neighbors were in agreement with his proposal.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would

result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of Oct., 1989 that the Petition for a Zoning Variance from Section 1802.3.A.1. to permit a side yard setback of 5-1/2 feet and a side yard setback sum of 20-1/2 feet in lieu of the minimum 10 and 25 feet, respectively, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

3) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

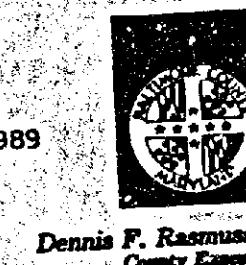
J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH/mm  
cc: Peoples Counsel

-2-

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3363  
J. Robert Haines  
Zoning Commissioner

October 17, 1989



Mr. and Mrs. Otto-Georg Richter  
2103 Woodfork Road  
Timonium, Maryland 21093

RE: Petition for Zoning Variance  
Case No. 90-56-A

Dear Mr. and Mrs. Richter:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
J. Robert Haines  
Zoning Commissioner

JRH/mm  
cc: Peoples Counsel

#### Zoning Description

Beginning at the Southwestern side of Woodfork Rd.  
73 feet wide, at the distance of 116 feet east of  
the centerline of Pine Valley Drive. Being Lot 5,  
Block D, in the subdivision of Valley Wood,  
Book No. 29, Folio 25. Also known as  
2103 Woodfork Rd. in the 8th Election  
District.

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-56-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.A.1. (208.3. A.10, 1963) to permit a side yard setback of 5 1/2' and a side yard setback sum of 20 1/2' in lieu of the minimum 10' and 25', respectively.

Plans for a detached garage were not accepted by our neighbors and the community association. They require us to build an attached garage in order to have a convenient driveway. Our lot is not wide enough for an attached garage. Thus we need a zoning variance in order to build a 2-car garage for protection of our cars. (See also enclosed corner postcard.)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Otto-Georg Richter  
(Type or Print Name)  
Signature: Dr. Otto-Georg Richter  
Address: Jutta Richter  
City and State: Timonium, MD 21093

Attorney for Petitioner: 2103 Woodfork Rd. 561-5318  
(Type or Print Name)  
Signature: Timonium, MD 21093  
Address: Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
City and State: Otto-Georg Richter  
Attorney's Telephone No.: 561-5318

ORDERED: By The Zoning Commissioner of Baltimore County, this 17th day of Oct., 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of Oct., 1989, at 2 o'clock P.M.

(over)

#### BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Otto-Georg and Jutta Richter, Item 520  
Zoning Petition No. 90-56-A

The petitioners request a variance to permit a side yard setback of 5-1/2 feet and a side yard setback sum of 20-1/2 feet in lieu of the minimum 10 feet and 25 feet, respectively. In reference to this request, staff offers no comment.

PK/sf

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3363  
J. Robert Haines  
Zoning Commissioner

DATE 10/6/89



Mr. & Mrs. Otto-Georg Richter  
2103 Woodfork Road  
Timonium, Maryland 21093

Re: Petition for Zoning Variance (Case Number 90-56-A)  
SE/5 Woodfork Road, 116' E of Pine Valley Drive  
2103 Woodfork Road  
8th Election District - 3rd Councilmanic  
Petitioner(s): Otto-Georg Richter, et ux  
HEARING SCHEDULED: WEDNESDAY, AUGUST 16, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Richter:

Please be advised that \$110.29 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

It is noted that should you fail to return the sign & post set(s), there will be a charge of \$110.29 for each such set.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 10/11/89 ACCOUNT 601615-000

AMOUNT \$ 110.29

PAID BY Otto-Georg Richter

FOR P.A. for 10/11/89 hearing 90-56-A

8 024\*\*\*\*\*110291 2131F

VALIDATION OR SIGNATURE OF CARRIER  
UNIT - CARRIER UNIT - AGENT UNIT - OFFICER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3363  
J. Robert Haines  
Zoning Commissioner

August 1, 1989



Mr. & Mrs. Otto-Georg Richter  
2103 Woodfork Road  
Timonium, Maryland 21093

Re: NOTICE OF POSTPONEMENT  
Petition for Zoning Variance  
CASE NUMBER: 90-56-A  
2103 Woodfork Road  
8th Election District - 3rd Councilmanic  
Petitioner(s): Otto-Georg Richter, et ux

Dear Mr. & Mrs. Richter:

Please be advised that the above hearing scheduled for August 16, 1989 has been postponed, pursuant to your request. This case will be reassigned, at which time you will receive a new Notice of Hearing providing information on the new hearing date.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:gs  
cc: File



# CERTIFICATE OF PUBLICATION

## CERTIFICATE OF POSTING

90-56-A  
 District: 8  
 Posted for: Varian  
 Location of property: 2103 Woodfork Rd., 1/2 E of 4th St., Pine Valley  
 Location of Sign: 2103 Woodfork Rd.  
 Date of Posting: September 25, 1989  
 Date of return: September 29, 1989  
 Remarks: See front of 2103 Woodfork Rd.  
 Posted by: S. J. Anater  
 Number of Signs: 1

Dr. Otto G. Richter  
 2103 Woodfork Rd.  
 Timonium, MD 21093  
 Mr. Robert Haines  
 Zoning Commissioner  
 Baltimore County  
 Office of Zoning  
 Towson, MD 21204  
 Aug 1, 1983

RE: Case No. 90-56-A

Dear Mr. Haines,

On the currently scheduled hearing date for the above mentioned case will be unavailable. Please reschedule the Aug 16 date to something as soon as possible hereafter.

Thank you very much.

*Dr. Otto G. Richter*

Application for Zoning Variance is submitted in order to allow construction of a 2-car garage on the 2103 Woodfork Rd. premises. The reasons for building an attached garage are evident from the enclosed correspondence.

Otto-Georg Richter 520

520

Dr. Otto Richter  
 2103 Woodfork Road  
 Timonium, Maryland 21093  
 November 2, 1988

Dear Dr. Richter,  
 It has been brought to the attention of the Board of Governors of the Pine Valley-Valleywood Community Association that you intend to construct a garage on your property. We appreciate your recent meeting with Kevin Mainquist, the chairman of the Architectural Committee. In accordance with your verbal agreement, he is awaiting a written plan and explanation of your proposed construction as required by covenants in the land records office of Baltimore County. Upon receiving your plans, the Architectural Committee will notify you of its approval or disapproval within sixty days.

Thank you very much.

Sincerely,  
*Nancy Kelly*  
 Nancy Kelly, Secretary  
 Pine Valley-Valleywood Association



SUITE 102, THE GATEHOUSE AT NORTH PARK • COCKEYSVILLE, MARYLAND 21030 • (301) 566-8802

January 8, 1989

Dr. Otto G. Richter  
 2103 Woodfork Road  
 Timonium, MD 21093

Dear Otto,

In response to your proposal of November 25 to Mr. Mainquist of the Assn. Architectural Control Committee, we have reviewed this information and find your drawing for the attached garage satisfactory. Therefore we are requesting that the Association waive the ten foot set-back requirement specified in the Covenants. We assume further that any damage to the hemlock trees along the property line during construction will be taken care of by you. If we can be of further assistance, please call Mr. Letcher at 527-0900.

Sincerely,

*Judith Letcher*  
 Judith Letcher  
 James Letcher

cc: Mr. Kevin Mainquist  
 Board of Governors

**PETITIONER'S EXHIBIT 2**

520

520

Dr. Otto Richter  
 2103 Woodfork Road  
 Timonium, MD 21093

13 January 1989

Dr. Richter:

Plans for the attached garage proposed to be constructed at 2103 Woodfork Road and submitted to the Pine Valley-Valleywood Community Association by you is approved for construction, as submitted, provided the following conditions are met.

1. This office is provided written notification from adjacent property owner, Mr. James Letcher, 2133 Pine Valley Drive, stating his concurrence with the project. The proposed structure is in violation of the community association covenants restricting construction within 10 feet of the property line and concurrence is required before a variance can be granted. (Notification has been provided by Mr. Letcher.)
2. You will obtain all other Baltimore County and/or State permits required for the project.
3. Construction will be in accordance with all applicable local, county and state - building, electrical, safety and fire codes.
4. As built drawings be provided the undersigned once work is complete.

Thank you for your patience and cooperation.

*Kevin Mainquist*  
 Kevin Mainquist  
 President  
 Pine Valley-Valleywood  
 Architectural Committee  
 252-2946

520

**Permit**

NOTE: A SEPARATE PERMIT IS REQUIRED FOR ALL ELECTRICAL & PLUMBING WORK WHICH MUST BE DONE BY AN ELECTRICIAN OR PLUMBER LICENSED IN BALTIMORE COUNTY.

PETITIONER: BALTIMORE COUNTY MARYLAND  
 OFFICE OF THE BUILDING ENGINEER  
 TOWSON, MARYLAND 21204

Building Address: 2103 Woodfork Rd  
 Owner's Name: Otto Richter + wife  
 Building Name: 2103 Woodfork Rd Baltimore Md  
 Building Description: Investment Bldg Inc 3000 sq ft 3 car garage  
 TYPE OF IMPROVEMENT: Construct detached 3 car garage on rear yard  
 TYPE OF WATER SUPPLY: Public System  
 TYPE OF SEWAGE DISPOSAL: Public System  
 EXPIRATION DATE: 10-14-89  
 THIS PERMIT EXPIRES ONE YEAR FROM DATE OF ISSUE

**THIS PERMIT MUST BE POSTED**  
 SEE OTHER SIDE FOR INSPECTIONS

520

Dr. Otto-G. Richter  
 Jutta Richter  
 2103 Woodfork Rd.  
 Timonium/Luthersville, MD 21093  
 (301) 561-8816

November 29, 1988

Mr. Kevin Mainquist  
 Chairman  
 Architectural Control Committee  
 Pine Valley - Valleywood Association  
 2111 Forest Ridge Rd.  
 Timonium, MD 21093

Re: Addition of a 2 Car Garage to the 2103 Woodfork Rd. Property

Dear Mr. Mainquist,

Following our initial on-site communication and several additional weeks of often difficult investigations and talks I am now able to send you material detailing two alternate plans for the addition of a 2 car garage to our property.

Right upfront I should tell you that new legal advice I obtained indicates that your opinion (coincident with that of Mr. and Mrs. Letcher, our neighbors) that, according to the covenant, we have to stay 10 ft away from the property line, is likely to be upheld in court. We are not prepared to take such a risk.

Nevertheless, further - more friendly - talks with the Letchers showed that they would not like us to put up a structure that formally conforms with this requirement but would obstruct their outlook much more. We have been discussing two alternatives with them. The first one is the detached 2 car garage (size 21 x 24 ft) as originally envisioned by us as the optimal solution. The second one is that of an attached 2 car garage (same size). The basic difference is in location in that the attached version would be about 8 ft closer to the street line and leave much more of the Letchers view intact. Mostly for this reason they prefer this solution. They stated that they would be willing to help us to obtain the necessary permits and approvals for this option.

We find ourselves unable to make the choice. Thus, we would like you to make the decision for us which of the two designs should be implemented. This decision will be complicated because both alternatives violate the covenant which requires a minimum distance of 10 ft from the property line. The detached garage would be a minimum of about 7 1/2 ft from the property line, while the attached garage would only be 5 1/2 ft therefrom. Both do not infringe

on the 5 ft easement. However, the attached garage design would require a zoning variance (and a new permit) with a corresponding public hearing because the county requires itself a minimum distance of 10 ft for attached structures. We wish to emphasize that we do have a valid "permit" for a detached 2 car garage.

A third option, unwanted by both ourselves and the Letchers, would consist of a 1 1/2 car garage just long enough so that we could put our two cars behind each other. While this would be technically in compliance with the covenant, it would (a) not improve the property more than a single car garage would (maybe, even less), and (b), more importantly, create a quite large rectangular structure that would really block the current view of the Letchers completely.

We have enclosed the material prepared by the constructor (Investment Builders) for us as well as some drawings of our own that should be sufficient to detail our plans.

Please feel free to contact us as early as necessary to discuss this matter or in case you need further information. We would like to resolve this issue as soon as possible - preferably before the end of the year - so that construction can begin. Looking forward to the committee's response, we remain,

Yours sincerely,

(Dr. Otto-Georg Richter) (Jutta Richter)

(Encl.)

P.S.: We would like you to distribute this proposal to the other members of your committee for proper discussion. Thank you.

520



# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 7, 1989

Mr. & Mrs. Otto-Georg Richter  
2103 Woodfork Road  
Timonium, MD 21093

RE: Item No. 520, Case No. 90-56-A  
Petitioner: Otto-Georg Richter, et ux  
Petition for Zoning Variance

Dear Mr. Richter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing packet. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINTERSKY. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

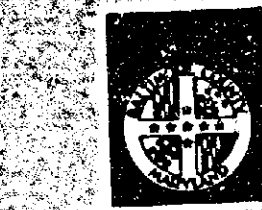
*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County  
Zoning Commission  
Office of Planning & Zoning  
Towson, Maryland 21204  
(800) 887-3333

J. Robert Haines  
Zoning Commissioner



Dennis P. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
14th day of June, 1989.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

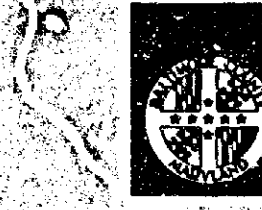
*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Otto-Georg Richter, et ux  
Petitioner's Attorney:

Baltimore County  
Fire Department  
800 York Road  
Towson, Maryland 21204-2596  
(800) 887-4500  
Paul H. Relachs  
Chief

JUNE 14, 1989

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204



Dennis P. Rasmussen  
County Executive

RE: Property Owner: OTTO-GEORG RICHTER  
Location: SE/8 OF WOODFORK ROAD, 116' E OF CENTER-  
LINE OF PINEVALLEY DRIVE  
Item No.: 520 Zoning Agenda: JUNE 13, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. Wm. Brady* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/XER

JUN 16 1989

## BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 22, 1989  
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for June 13, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 493, 514, 517, 520, 521, 522, 524, 528, 529, 531, and 532.

For Item 511, the minimum panhandle width for one lot is 20 feet, not 10 feet as shown on the plan.

For Items 513, 516 and 533 the previous County Review Group Comments still apply.

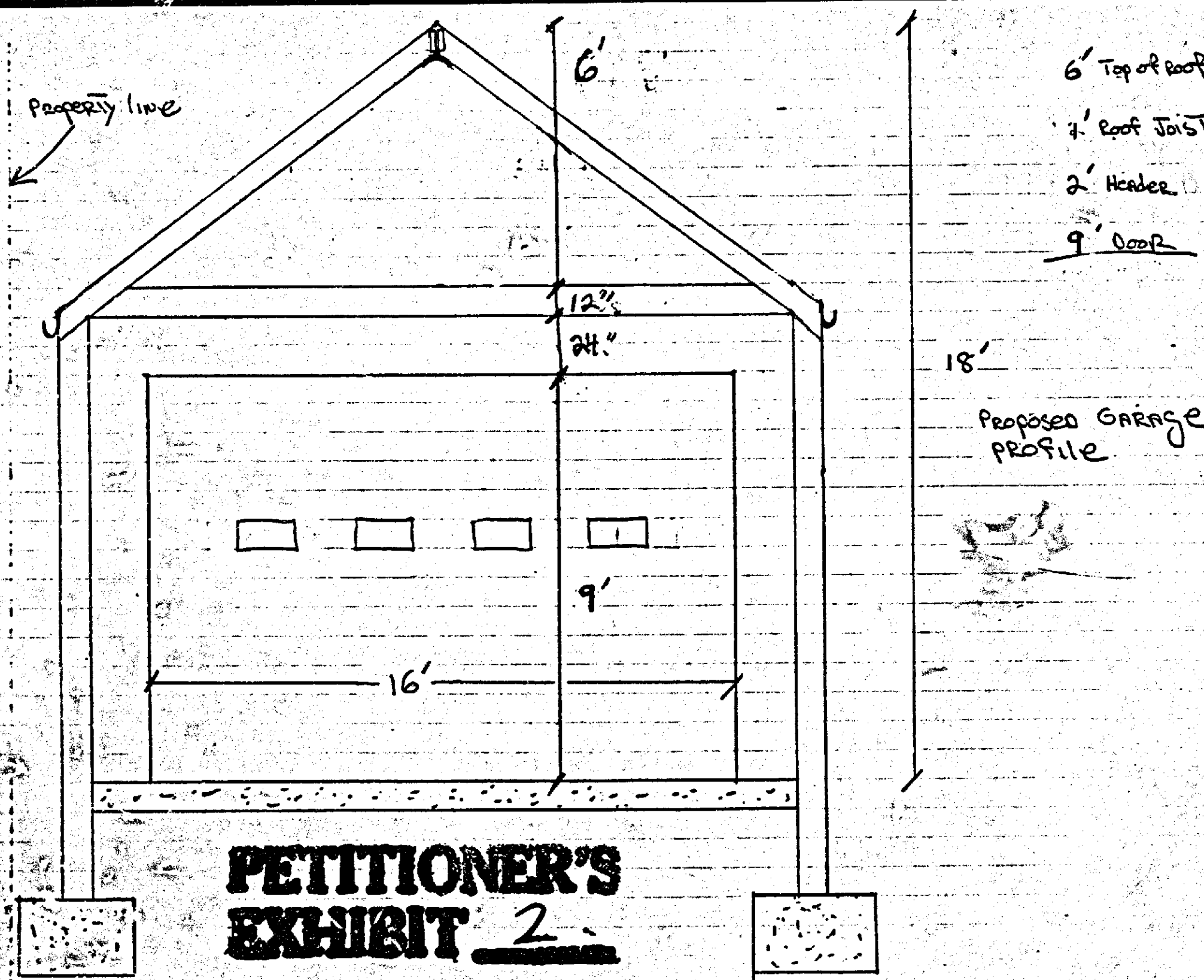
For Item 519, all lots must have in-fee frontage to a public road.

For Item 530, comments are attached.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

Encl.



The block is 8' height I need 1/2" for header.  
Room - 12' x 2-1/2' 4x3=24" so it must  
be 24"

